

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 1 and 3. Namely, they correct reference numerals in the figures to correspond to the description of the specification. In Figure 1, reference numeral 10 is added to correspond to the description of a “canister vacuum cleaner 10” at p. 4, ll. 14-15 of the specification. Reference numeral “6” is changed to reference numeral “16” corresponding to the “agitator 16” at p. 4, l. 17. In Figure 3, three instances of reference numeral “61” are changed to reference numeral 77 to match the amended paragraph of the specification on the preceding page of this paper. No new matter is introduced.

Attachment: 1 Replacement Sheet for Figure 1
 1 Replacement Sheet for Figure 3
 2 Annotated Sheets Showing Changes to Figures 1 and 3

REMARKS

By this response, claims 1, 2 and 5-20 are pending. Claims 1, 5, 6, 9 and 12 are amended while claims 2, 7, 8, 10, 11, and 13-20 remain original. Claims 3 and 4 are canceled. Substantively, the Examiner rejects claims 1-3 and 6-8 as anticipated under 35 U.S.C. §102(b) or 102(e) by DE19843973 or Park U.S. 6,695,352, respectively. Claims 4-5 and 12-20 are indicated as allowable if amended to overcome various §112 rejections and/or rewritten in independent form.

To this end, the Applicant has amended claim 1 to include the allowed subject matter of claim 4, including the limitation of intervening claim 3. For at least this reason, claim 1 is submitted as allowable. Also, claim 1 recites that the hose is for “sucking up dirt and dust” thereby positively reciting floor care element structures and obviating the §112 rejection. Because these changes render the subject matter of claims 3 and 4 superfluous, they are canceled. Claim 5 is amended to alter its dependence from canceled claim 4 to claim 1.

Similarly, claim 6 is amended to positively recite the subject matter of claim 4. That is, claim 6 is amended to recite that a journal defines an axis transverse to the longitudinal axis of the hose and it is this axis about which the handle pivots. For at least this reason, claim 6 and its progeny 7-11 are submitted as allowable. Claim 9 has a minor amendment to indicate a proper antecedent basis for the phrase “the journal,” now found in amended claim 6.

Claim 12 has been further defined to recite that the “the axis” about which the handle pivots about is “the axis substantially perpendicular to the longitudinal axis.” This should overcome the §112 rejection. Claims 13-20 are allowable for their dependence on claim 12.

Lastly, the figures have been amended to overcome the Examiner’s objections. Figure 1 adds reference numeral 10 to correspond to the description of a “canister vacuum cleaner 10” at p. 4, ll. 14-15 of the specification. Reference numeral “6” is changed to reference

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numeral "16" to correspond to the "agitator 16" at p. 4, l. 17. In Figure 3, three instances of reference numeral "61" are changed to reference numeral 77 to match the amended paragraph of the specification submitted on page 2 of this paper. The entry of element 77, and attendant change to the specification, avoids conflict with element 61 of Figure 5 and overcomes still another objection of the Examiner's. No new matter is introduced.

The Applicant submits all claims are in a condition for allowance and requests a timely Notice of Allowance be issued for same. ***To the extent any fees are due, although none are believed due, the undersigned authorizes their deduction from Deposit Account No. 11-0978.***

Respectfully submitted,

KING & SCHICKLI, PLLC



Michael T. Sanderson
Registration No. 43,082

247 North Broadway
Lexington, Kentucky 40507
Phone: (859) 252-0889
Fax: (859) 252-0779

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on October 23, 2006

Date 10/23/06

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